R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

JUDGES ORDER NO. _____ OF 2023
IN
PETITION NO. 3 OF 2006

Seema Vohra .. Applicant / Petitioner

Koshalya Devi Vohra .. Deceased

.....

- Mr. Sunil Patel for Applicant / Petitioner

.....

CORAM : MILIND N. JADHAV, J.
DATE : JULY 25, 2023

P.C.:

1. Not on board. Mentioned. Taken on board.

2. Perused the praecipe dated 25.07.2023. Heard Mr. Patel, learned Advocate for Applicant / Petitioner.

3. Present praecipe is moved in a disposed of Testamentary Petition No. 3 of 2006.

4. Mr. Patel would submit that Letters of Administration were granted by this Court in respect of the property and credits of deceased Koshalya Devi Vohra to the legal heirs of the deceased. Mr. Patel would submit that at that time, there were 8 legal heirs of the deceased. One of the legal heirs i.e. Smt. Seema Vohra has now approached this Court in 2023 by filing the Judges Order seeking dispensation of one of the conditions of the grant and seeking leave of

the Court to sell the property which was stated in the Schedule of Assets to the grant. The objection raised by the Department is that the title of the Judges Order is not in consonance with CIS system / requirement. Mr. Patel would submit that when the original Petition was filed on behalf of the legal heirs, it was filed by the Power of Attorney of one of the beneficiaries namely Ashok Vohra. He would submit that the present Judges Order has been filed by one of the legal heirs namely Smt. Seema Vohra seeking dispensation of the condition and permission of the Court for sale of the property which is mentioned in the grant. He would therefore submit that the Department be directed to accept the title submitted by Smt. Seema Vohra in the disposed Petition No. 3 of 2006 subject to all other compliances and appropriate directions be therefore given.

5. Department is directed to accept the title given by Smt. Seema Vohra after verifying that she was one of the legal heirs and beneficiaries of the deceased and if that be so, the Judges Order may be placed for appropriate orders before me subject to all other compliances as required. The requisition raised by the Department stands dispensed with.

6. Praecipe is disposed.

[MILIND N. JADHAV, J.]

Amberkar

RAVINDRA MOHAN AMBERKAR
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Date: 2023.07.25 16:32:38 +0530